**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

**FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929**

**WP(C).No. 11670 of 2004(L)**
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**PETITIONER:**
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**M.NARAYANAN, MALAYAMCHATH HOUSE,**
**KALPETTA.**

**BY ADV. SRI.J.OM PRAKASH**

**RESPONDENTS:**
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1. **THE KALPETTA MUNICIPALITY REP. BY ITS SECRETARY.**

2. **THE SECRETARY, KALPETTA MUNICIPALITY, KALPETTA P.O. WYNAD.**

**BY ADV. SRI.A.K.SRINIVASAN**
**SRI.N.S.MOHAMMED USMAN**
**SRI.A.S.BENOY**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/08/2007, THE COURT ON THE SAEM DAY DELIVERED THE FOLLOWING:**

**W.P.(C) NO.11670/2004**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1:- COPY OF THE NOTICE DT. 23.5.01 ISSUED BY THE 2ND RESPONDENT.**

**EXT.P2:- COPY OF THE EXPLANATION OF THE PETITIONER DT. 6.6.01.**

**EXT.P3:- COPY OF THE ORDER OF THE 2ND RESPONDENT DT. 23.7.01.**

**EXT.P4:- COPY OF THE ORDER OF THE DEPUTY SECRETARY LOCAL SELF GOVERNMENT DEPARTMENT DT. 16.10.03.**

**EXT.P5:- COPY OF THE REPRESENTATION DT. 11.11.03 FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.**

**/TRUE COPY/**

**P.A. TO JUDGE**

**tss**

KURIAN JOSEPH , J

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W.P.(C) NO. 11670 OF 2004

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Dated this the 10th day of August, 2007.

**JUDGMENT**

The only prayer is for a direction to the 2nd respondent to consider Ext.P5 representation. According to the petitioner, the same is liable to be considered under proviso to Section 406(i)(iii) of the Kerala Muncipality Act, 1994. Despite the order passed by the Government under Section 407, it is for the 2nd respondent to consider the matter with notice to the petitioner and pass appropriate orders thereon in accordance with law. The orders as above shall be passed within three months from the date of production of a copy of this judgment.

The writ petition is disposed of accordingly.

**KURIAN JOSEPH, JUDGE.**

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